

Robert C. O'Brien (State Bar No. 154372)
Steven E. Bledsoe (State Bar No. 157811)
Antoinette Waller (State Bar No. 152895)
ARENT FOX LLP
555 West Fifth Street, 48th Floor
Los Angeles, CA 90013-1065
Telephone: 213.629.7400/Facsimile: 213.629.7401
Email: obrien.robert@arentfox.com
bledsoe.steven@arentfox.com
waller.antoINETte@arentfox.com

Attorneys for Defendant
Money Market 1 Institutional Investment Dealer

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LOUISIANA PACIFIC CORPORATION,

Plaintiff,

v.

MONEY MARKET 1 INSTITUTIONAL
INVESTMENT DEALER; MERRILL
LYNCH & CO., INC.; MERRILL
LYNCH, PIERCE, FENNER & SMITH
INCORPORATED; AND DEUTSCHE
BANK SECURITIES, INC.,

Defendants.

Case No. CV09-03529-JSW

[Before The Honorable Jeffrey S. White --
Courtroom 11]

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING DEFENDANT
MONEY MARKET 1 INSTITUTIONAL
INVESTMENT DEALER'S TIME TO
ANSWER THE SECOND AMENDED
COMPLAINT**

[Local Rule 7-12]

Plaintiff Louisiana Pacific Corporation ("Plaintiff") and defendant Money Market 1 Institutional Investment Dealer ("MM1"), acting through their respective counsel, enter into the below stipulation:

WHEREAS, following the Judicial Panel on Multidistrict Litigation's order transferring a portion of this case to the Southern District of New York ("SDNY"), Plaintiff filed a First Amended Complaint ("FAC") on March 8, 2010 in this Court and concurrently filed the same FAC in the SDNY alleging its claims against MM1 in both forums;

1 WHEREAS, on April 21, 2010, defendant Deutsche Bank Securities, Inc. ("DBSI") filed a
2 Motion to Dismiss the FAC in this Court;

3 WHEREAS, on April 23, 2010, MM1 filed a Motion to Dismiss the FAC in this Court;

4 WHEREAS, by Order dated March 28, 2011, the Court denied MM1's Motion to Dismiss
5 as pending in the Northern District of California, granted DBSI's Motion to Dismiss, and granted
6 leave for Plaintiff to file a Second Amended Complaint ("SAC") in this Court by April 29, 2011;

7 WHEREAS, the Court subsequently entered an order extending Plaintiff's time to file its
8 SAC in this Court through and until May 20, 2011;

9 WHEREAS, Plaintiff filed its SAC in this Court on May 20, 2011;

10 WHEREAS, the SAC alleges over the course of 265 paragraphs and 92 pages that MM1
11 engaged in a comprehensive scheme to defraud Plaintiff in violation of Section 10(b) of the
12 Securities Exchange Act of 1934 and Rule 10b-5, that MM1 violated Sections 25500, 25501 and
13 25504.1 of the California Corporate Securities Law of 1968, and that MM1 committed common
14 law fraud, common law negligent misrepresentation and common law breach of fiduciary duty in
15 connection with at least fourteen different series of auction-rate securities.

16 WHEREAS, Plaintiff and defendant DBSI previously stipulated and the Court ordered
17 that DBSI shall answer or otherwise respond to the SAC on or before June 27, 2011 and entered a
18 briefing schedule for an anticipated motion to dismiss by DBSI;

19 WHEREAS, the Court has set a hearing on DBSI's anticipated motion to dismiss the SAC
20 for September 2, 2011 at 9:00 a.m.;

21 WHEREAS, the parties stipulated and the Court ordered that MM1 would have until
22 twenty-one (21) days after the filing of the SAC to file an Answer to the SAC in this Court;

23 WHEREAS, the parties further agreed that MM1's answer to the SAC would be due on
24 June 17, 2011;

25 WHEREAS, MM1 has requested and Plaintiff has agreed to additional time for MM1 to
26 prepare its answer to the SAC through and until July 8, 2011;

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1 IT IS THEREFORE STIPULATED AND AGREED, by and between Plaintiff and MM1,
2 acting through their respective counsel, subject to this Court's approval, that MM1 shall file an
3 answer to the SAC in this Court on or before July 8, 2011.

4 Dated: June 17, 2011

Respectfully submitted,

5 KELLOGG, HUBER, HANSEN, TODD,
6 EVANS, & FIGEL, P.L.L.C.

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8 By: /s/ Andrew C. Shen

Andrew C. Shen
Attorneys for Plaintiff
Louisiana Pacific Corporation

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10 Dated: June 17, 2011

Respectfully submitted,

11 ARENT FOX LLP

12
13 By: /s/ Antoinette Waller

Antoinette Waller
Attorneys for Defendant
Money Market 1 Institutional Investment
Dealer

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19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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21 Dated: June 17, 2011

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23 
24 Hon. Jeffrey S. White
United States District Judge